

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (currently amended):       An aberration correcting apparatus for correcting aberration in an optical path of an optical system which irradiates a recording medium with a light beam and guides the light beam reflected from said recording medium, comprising:

        a first aberration correction element movable along the optical axis of said light beam for correcting the aberration of the light beam;

        a driver for positioning said first aberration correction element along the optical axis in response to a drive control signal;

        a second aberration correction element having a plurality of phase adjustment portions each generating an amount of phase change in the light beam, the amount corresponding to an adjustment signal;

        a phase adjuster for supplying said adjustment signal to the respective adjustment portions in response to a phase control signal;

        a light receiver for receiving the light beam reflected from said recording medium to generate a light-receiving signal; and

        a controller for generating said drive control signal and said phase control signal based on said light-receiving signal, wherein said phase adjuster corrects a residual aberration after correction by said first aberration correction element.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No. 10/050,604  
Attorney Docket No. Q68036

2. (canceled).

3. (original): The aberration correcting apparatus according to claim 1, wherein said first aberration correction element includes a concave lens and a convex lens sequentially arranged from a light source of the light beam, and said driver drives said convex lens.

4. (original): The aberration correcting apparatus according to claim 1, wherein said first aberration correction element includes a concave lens and a convex lens sequentially arranged from a light source of the light beam, and said driver drives said concave lens.

5. (original): The aberration correcting apparatus according to claim 1, wherein said first aberration correction element includes a collimating lens for collimating the light emitted from a light source of the light beam.

6. (original): The aberration correcting apparatus according to claim 1, wherein said first aberration correction element includes a collimating lens for collimating the light emitted from a light source of the light beam, and said driver changes a distance between said light source and said collimating lens.

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7. (original): The aberration correcting apparatus according to claim 1, further comprising an object lens for focusing the light beam on said recording medium, said second aberration correction element being fixed to said object lens.

8. (original): The aberration correcting apparatus according to claim 1, wherein said second aberration correction element is a liquid crystal panel.